



GARDINER CITY COUNCIL
 AGENDA ITEM INFORMATION SHEET



Meeting Date	04/08/2020	Department	Code Enforcement
Agenda Item	4.a Second Read and Possible Approval of Proposed Amendments to the Land Use Code for Small-Scale Alcoholic Beverage Production and Sales		
Est. Cost	n/a		

Background Information

The proposed amendments to the Land Use Code specifically provide for businesses that produce and serve various types of alcoholic beverages. This is often a hybrid of a production/manufacturing use and retail use.

1. The state licenses small breweries, small wineries, and small distilleries with limits on the volume of beverages that each can produce.
2. Similarly the state has various categories of restaurant licenses.
3. However there is no ready-made state category that addresses all of these types of activities.

The Ordinance Review Committee and the Planning Board recommend that the City create a use that incorporates the various types of small-scale alcohol beverage producers and allows the sale and consumption of produced beverages on the premises and permits them in appropriate locations. The attached amendments to the Land Use Code will do this.

Requested Action	'I motion to approve the proposed amendments to the Land Use Code for Small-Scale Alcoholic Beverage Production and Sales and to waive publication of the ordinance in the newspaper as allowed by City Charter Article II, Section 9.'
City Manager and/or Finance Review	The City Manager recommends the above action.
Council Vote/ Action Taken	
Departmental Follow-Up	City must update ordinance and website on effective date (30 days after approval). City Clerk must publish ad per Charter Article II Section 9 unless waived.

City Clerk Use Only	1 st Reading <u>03/25/2020</u>	Advertised <u>03/17/2020</u>	EFFECTIVE DATE <u>05/08/2020</u>
	2 nd Reading <u>04/08/2020</u>	Advertised <u>05/23/2020</u> w/in 15 Days	
	Final to Dept <u></u>	Updated Book <u></u>	Online <u></u>

To: City Council
From: Planning Board
Subject: Brew Pubs and Similar Uses
Date: March 12, 2020

Staff has suggested that the City's Land Use Code specifically provide for businesses that produce and serve various types of alcoholic beverages such as small-scale breweries, distilleries, brew pubs, tasting rooms, etc. These uses are often a hybrid of a production/manufacturing use and a retail use. In some situations these uses do not fit under restaurants since they often do not serve food. Here are a couple of pieces of background information:

1. The state licenses small breweries, small wineries, and small distilleries with limits on the volume of beverages that each can produce.
2. Similarly the state has various categories of restaurant licenses.
3. However there is no ready-made state category that addresses all of these types of activities.

Therefore the Ordinance Review Committee and the Planning Board recommend that the City create a use that incorporates the various types of small-scale alcohol beverage producers and allows the sale and consumption of produced beverages on the premises and permits them in appropriate locations. The attached amendments to the Land Use Code will do this.

March 12, 2020

Proposed Amendments to the Land Use Code
Small-Scale Alcoholic Beverage Production and Sales

1. Amend Section 17.2 Definitions by adding in proper alphabetical order a definition of Small-Scale Alcoholic Beverage Production and Sales to read:

Small-Scale Alcoholic Beverage Production and Sales: An establishment that is licensed by the state as a small brewery, small winery, or small distillery that produces alcoholic beverages and that may offer the beverages produced by the establishment for sale either for consumption on the premises or for take-out of limited quantities in accordance with state regulations.

2. Amend Section 7.6.3 Commercial Uses in the Land Use Table in Section 7.6 by adding in proper alphabetical order a new use Small-Scale Alcoholic Beverage Production and Sales to read:

	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Small-scale alcoholic beverage production and sales	N	N	N	N	N	N	N	P	P	N	N	P	P	P	P	N